

Imaged Certificate of Notice Page 1 of 7

United States Bankruptcy Court
Eastern District of PennsylvaniaIn re:
Barry Portnoy
DebtorCase No. 14-16081-mdc
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0313-2

User: YvetteWD
Form ID: pdf900Page 1 of 3
Total Noticed: 1

Date Rcvd: May 02, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 04, 2018.

db +Barry Portnoy, 101 Edwards Drive, Richboro, PA 18966-1174

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 04, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 2, 2018 at the address(es) listed below:

ALBERT M BELMONT, III on behalf of Interpleader SamZach Irrevocable Trust
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Interpleader Danielle Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Zachary Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Danielle Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Danielle Portnoy (as Trustee of the "SamZach
Irrevocable Trust") abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Samzach Partners, L.P.
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Samantha Portnoy (as Co-Trustee of the Revocable
Deed of Trust of Danielle M. Portnoy) abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Sam-Zachary Partners, LLC
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Samantha Portnoy abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Altchem Environmental Services, Inc.
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant BF Services, L.P. abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Altchem Environmental Services, Inc.
abelmont@bochettoandlantz.com, mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Danielle Portnoy (as Co-Trustee of the Revocable
Deed of Trust of Danielle M. Portnoy) abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ALBERT M BELMONT, III on behalf of Defendant Maxsys, Inc. abelmont@bochettoandlantz.com,
mkamins@bochettoandlantz.com

ANDREW F GORNALL on behalf of Creditor M&T BANK agornall@kmlawgroup.com,
bkgroup@kmlawgroup.com

BENJAMIN A. GARBER on behalf of Vorndran Construction, Inc. BGarber@braverlaw.com,
dmayfield@braverlaw.com; dmarano@braverlaw.com; belle@braverlaw.com

BENJAMIN A. GARBER on behalf of Debtor Barry Portnoy BGarber@braverlaw.com,
dmayfield@braverlaw.com; dmarano@braverlaw.com; belle@braverlaw.com

BENJAMIN A. GARBER on behalf of Braverman Kaskey PC BGarber@braverlaw.com,
dmayfield@braverlaw.com; dmarano@braverlaw.com; belle@braverlaw.com

DANIEL J. MCGRAVEY on behalf of Plaintiff Republic First Bank d/b/a Republic Bank
dmcgravey@clarkhill.com

DANIEL MICHAEL PEREIRA on behalf of Plaintiff Republic First Bank, d/b/a Republic Bank
dpereira@schnader.com, 5283212420@filings.docketbird.com, Emccarthy@schnader.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

DAVID B. SMITH on behalf of Attorney SMITH KANE HOLMAN, LLC dsmith@smithkanelaw.com, b.dr70286@notify.bestcase.com
DAVID L. BRAVERMAN on behalf of Debtor Barry Portnoy dbraver@braverlaw.com, dmarano@braverlaw.com; dmayfield@braverlaw.com; belle@braverlaw.com; gollotto@braverlaw.com; sine@braverlaw.com
DAVID L. BRAVERMAN on behalf of Plaintiff Barry Portnoy dbraver@braverlaw.com, dmarano@braverlaw.com; dmayfield@braverlaw.com; belle@braverlaw.com; gollotto@braverlaw.com; sine@braverlaw.com
DAVID L. BRAVERMAN on behalf of Defendant Barry Portnoy dbraver@braverlaw.com, dmarano@braverlaw.com; dmayfield@braverlaw.com; belle@braverlaw.com; gollotto@braverlaw.com; sine@braverlaw.com
GAETAN J. ALFANO on behalf of Attorney Michael E. Carson, Esquire GJA@Pietragallo.com
GAETAN J. ALFANO on behalf of Creditor Michael Carson GJA@Pietragallo.com
GARY DAVID BRESSLER on behalf of Interested Party Bonnie B. Finkel, Chapter 7 Trustee of the bankruptcy estate of Demrex Industrial Services, Inc. gbressler@mdmc-law.com, kdeans@mdmc-law.com; sshidner@mdmc-law.com; smullen@mdmc-law.com
GARY F SEITZ on behalf of Plaintiff Robert H. Holber gseitz@gsbblaw.com, hsmith@gsbblaw.com
GARY F SEITZ on behalf of Plaintiff Republic First Bank d/b/a Republic Bank gseitz@gsbblaw.com, hsmith@gsbblaw.com
GARY F SEITZ on behalf of Trustee ROBERT H. HOLBER gseitz@gsbblaw.com, hsmith@gsbblaw.com
GEORGE BOCHETTO on behalf of Defendant Danielle Portnoy (as Trustee of the "SamZach Irrevocable Trust") gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Danielle Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Maxsys, Inc. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Zachary Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Samantha Portnoy (as Co-Trustee of the Revocable Deed of Trust of Danielle M. Portnoy) gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Samantha Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Altchem Environmental Services, Inc. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant BF Services, L.P. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Interpleader Danielle Portnoy gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Samzach Partners, L.P. gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Danielle Portnoy (as Co-Trustee of the Revocable Deed of Trust of Danielle M. Portnoy) gbochetto@bochettoandlantz.com
GEORGE BOCHETTO on behalf of Defendant Sam-Zachary Partners, LLC gbochetto@bochettoandlantz.com
GILBERT B. WEISMAN on behalf of Creditor American Express Bank FSB notices@becket-lee.com
HOLLY SMITH MILLER on behalf of Trustee ROBERT H. HOLBER hsmiller@gsbblaw.com
HOLLY SMITH MILLER on behalf of Robert H. Holber, Chapter 7 Trustee hsmiller@gsbblaw.com
HOLLY SMITH MILLER on behalf of Plaintiff Robert H. Holber hsmiller@gsbblaw.com
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JEFFREY KURTZMAN on behalf of Defendant Sam-Zachary Partners, LLC Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Defendant Danielle Portnoy Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Defendant Samantha Portnoy Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Defendant Altchem Environmental Services, Inc. Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Defendant Maxsys, Inc. Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Defendant BF Services, L.P. Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Interpleader Danielle Portnoy Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Interpleader SamZach Irrevocable Trust Kurtzman@kurtzmansteady.com
JEFFREY KURTZMAN on behalf of Defendant Zachary Portnoy Kurtzman@kurtzmansteady.com
JEROME B. BLANK on behalf of Creditor Wilmington Savings Fund Society, et. al. paeb@fedphe.com
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JOHN E. KASKEY on behalf of Debtor Barry Portnoy Jkaskey@braverlaw.com, dmarano@braverlaw.com; gollotto@braverlaw.com; belle@braverlaw.com; sine@braverlaw.com
JOHN E. KASKEY on behalf of Attorney Braverman Kaskey PC Jkaskey@braverlaw.com, dmarano@braverlaw.com; gollotto@braverlaw.com; belle@braverlaw.com; sine@braverlaw.com
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JONATHAN W. HUGG on behalf of Creditor Republic First Bank d/b/a Republic Bank jhugg@schnader.com, 2297860420@filings.docketbird.com, Kpoehls@schnader.com
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JOSHUA B. KAPLAN on behalf of Defendant Barry Portnoy kaplan@braverlaw.com, powell@braverlaw.com; belle@braverlaw.com; marano@braverlaw.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

JOSHUA B. KAPLAN on behalf of Vorndran Construction, Inc. kaplan@braverlaw.com,
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MARIO J. HANYON on behalf of Creditor Wilmington Savings Fund Society, et. al. paeb@fedphe.com
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MICHAEL L. TEMIN on behalf of Mediator MICHAEL L. TEMIN mtemin@foxrothschild.com
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ROBERT H. HOLBER on behalf of Trustee ROBERT H. HOLBER trustee@holber.com,
rholber@ecf.epiqsystems.com
SARAH R. GOODMAN on behalf of Creditor Michael Carson SRG@Pietragallo.com, BLR@Pietragallo.com
STEFAN RICHTER on behalf of Creditor Southampton Industrial Mews Condominium Association
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STEPHEN G. HARVEY on behalf of Defendant Jonathan Hugg steve@steveharveylaw.com,
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STEPHEN G. HARVEY on behalf of Creditor Republic First Bank d/b/a Republic Bank
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STEVEN E. OSTROW on behalf of Interested Party EVC Turnpike Dr., LLC
ostrows@whiteandwilliams.com
THOMAS I. PULEO on behalf of Creditor M&T BANK tpuleo@kmlawgroup.com,
bkgroup@kmlawgroup.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 95

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: BARRY PORTNOY	BANKRUPTCY CASE NO. 14-16081 CHAPTER 7
ROBERT H. HOLBER, as Chapter 7 Trustee of the Estate of Barry Portnoy, Plaintiff vs. BARRY PORTNOY, et al. Defendants	ADVERSARY NO. 16-00248-mdc (LEAD CASE)
REPUBLIC FIRST BANK d/b/a REPUBLIC BANK, Plaintiff, vs. BARRY PORTNOY, Defendant	ADVERSARY NO. 15-00037-mdc
ROBERT H. HOLBER, as Chapter 7 Trustee of the Estate of Barry Portnoy, and REPUBLIC FIRST BANK d/b/a REPUBLIC BANK Plaintiffs v. ALTCHEM ENVIRONMENTAL SERVICES, INC., et al., Defendants	ADVERSARY NO. 16-00409-mdc

STIPULATION, AND ORDER

THIS STIPULATION is entered into this 30th day of April, 2018 by and between **Barry Portnoy (“Portnoy”)**, Debtor in the above-captioned bankruptcy proceedings, and **Robert H. Holber, Chapter 7 Trustee of the Estate of Barry Portnoy (the “Chapter 7 Trustee”)**. Portnoy and the Chapter 7 Trustee are each referred to herein as a “Party” and are collectively referred to as the “Parties”.

WHEREAS, Portnoy and Aegis Capital Corp. (“Aegis”) entered into that certain Confidential Settlement Agreement and Release, dated January 8, 2016 (the “Aegis Settlement Agreement”);

WHEREAS, pursuant to the Aegis Settlement Agreement, Aegis is obligated to pay the sum of \$305,000.00 (the “Settlement Amount”) in full and final settlement of a FINRA Arbitration, entitled Barry Portnoy, Individually and on behalf of his IRA v. Aegis Capital Corp., FINRA No. 14-02584;

WHEREAS, Aegis presently holds the Settlement Amount;

WHEREAS, pursuant to the Aegis Settlement Agreement, Aegis is required to pay the Settlement Amount, upon receipt of an Order of this Court or notice that this Court does not hold jurisdiction over this matter, as follows:

- (i) \$70,922.19 to Sheppard Smith Edwards and Kantas, LLP as and for the payment of attorneys’ fees and case expenses; and
- (ii) \$234,077.81 by wire transfer to Portnoy’s SEP-IRA Account, solely as a return of the unauthorized transfer (as defined in the Aegis Settlement Agreement) from the Barry Portnoy SEP-IRA Account, together with statutory interest.

WHEREAS, Portnoy and the Chapter 7 Trustee are reasonably concerned about the security of the Settlement Amount maintained in Aegis’ possession and, solely for the protection

and security of the Settlement Amount, agree that the Settlement Amount should be transferred from Aegis' control to Braverman Kaskey's IOLTA Account.

NOW, THEREFORE, Portnoy and the Chapter 7 Trustee, for good and valuable consideration and intending to be legally bound hereby, **STIPULATE AND AGREE** as follows:

1. The foregoing background shall be and hereby is incorporated by reference as if fully set forth at length herein;
2. For purposes of this Stipulation, only, the Bankruptcy Court has jurisdiction over the Settlement Amount;
3. Aegis is directed to and shall wire, pursuant to wire instructions provided by Braverman Kaskey, the entire Settlement Amount (\$305,000.00), together with statutory interest thereon, to the Braverman Kaskey IOLTA Account;
4. Once received in the Braverman Kaskey IOLTA Account, the Settlement Amount shall be retained therein by Braverman Kaskey until further Order of the Court;
5. Nothing contained herein is intended to prejudice any of the Parties' claims of entitlement to the Settlement Amount nor alter the character of the Settlement Amount for tax purposes under federal, state or local law;
6. Nothing contained shall prejudice any Parties' rights or claims to the Settlement

Amount, which rights and claims shall be preserved pending further Order of this
Court.

Respectfully submitted,

BRAVERMAN KASKEY

BY: /s/ David L. Braverman
DAVID L. BRAVERMAN
One Liberty Place – 56th Floor
1650 Market Street
Philadelphia, PA 19103

Attorneys for Debtor, Barry Portnoy

GELLERT SCALI BUSENKELL & BROWN, LLC

BY: /s/ Gary F. Seitz
GARY F. SEITZ, ESQUIRE
HOLLY E. SMITH, ESQUIRE
601 Walnut Street, Suite 470W
Philadelphia, PA 19106

Attorneys for Robert H. Holber, Chapter 7 Trustee

So Ordered, this 2nd day of May, 2018

BY THE COURT:



Coleman, Bankruptcy Judge